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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,059	02/04/2004	Bohumil Lojek	ATM-275	5441
3897	7590	12/27/2005		EXAMINER
SCHNECK & SCHNECK P.O. BOX 2-E SAN JOSE, CA 95109-0005				SOFOCLEOUS, ALEXANDER
			ART UNIT	PAPER NUMBER
				2824

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/773,059	LOJEK, BOHUMIL <i>BM</i>
	Examiner	Art Unit
	Alexander Sofocleous	2824

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Amendment of 12/7/2005.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12, 20 and 21 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 1-12 and 20 is/are allowed.
 6) Claim(s) 21 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 07 December 2005 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input checked="" type="checkbox"/> Other: <u>search history</u> . |

Response To Amendment

1. This office action is in response to Applicant's amendment filed on 12/7/2005. Claim 21 is amended. Claims 13-19, and 22-35 are cancelled. Claims 1-12, 20, and 21 are pending. Claims 1, 20, and 21 are independent. Claim 21 is rejected on new grounds based on newly found art.

Drawings

2. The proposed drawings corrections received on 12/7/2005 have been approved by Examiner.

3. The drawings are objected to because a few minor discrepancies exist across the Figures and require correction. The following minor discrepancies are noted:

Fig.1 shows two components labeled 28 (the anode of diode 29; the contact on bit line 17). It appears that Applicant intended 28 to be the contact point (see Fig. 1 [connection of bit line 17 to EEPROM 23]; Fig. 2 [connection to EEPROM 23]); Fig. 3 & 4 [isolation region 82 of EEPROM 23; contact 28 of EEPROM 23]). Examiner recommends deleting label 28 pointing to the cathode of the diode on Fig. 1 (see suggested markup on top of next page).

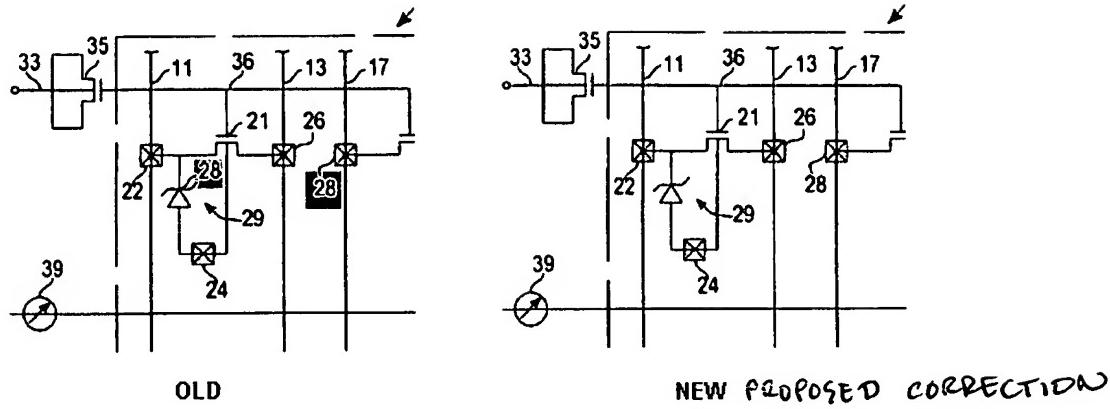


Fig. 2 shows a connection between transistor 25 and contact point 28; whereas Fig. 3 shows no such connection relation between these two components.

Fig. 4 shows unidentified line 201 (between 23 and 223). The specification indicates, "Shared line 101, a common electrode for memory transistor 23 and 223..." (page 10, line 31). Examiner assumes applicant intended to label said line of Fig. 4 as 101 (see suggested markup below).

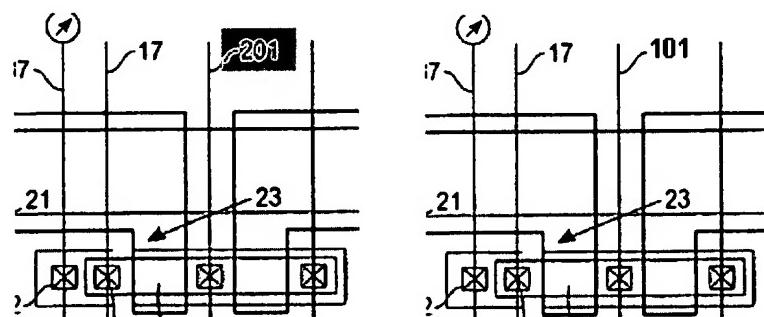


Fig. 8 [119] is an n-well; whereas Fig. 4 [119] is a word line. Examiner assumes 119 intended to reference a word line (based on Fig. 1, Fig. 2, Fig. 4). Examiner suggests re-labeling Fig. 8 and correcting the Specification (page 12, line 6 and 7).

It is Examiner's opinion that, for clarity purposes, the same components should be labeled with the same character reference throughout the Figures; and, different components should be labeled with different character references throughout the Figures.

Examiner encourages Applicant to review all Figures, and make corrections accordingly. Applicant is reminded that the Specification may need additional corrections due to changes in the Figures.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The proposed specification corrections received on 12/7/2005 have been approved by Examiner.
5. The disclosure is objected to because of the following informalities: a few minor discrepancies exist in the Specification and require correction (changes in the Figures may require changes in the Specification).

Character reference 25 is simultaneously defined as a: "transistor" (Page 4, line 19), a "capacitive device" (Page 5, line 4), a "device" (page 4, line 18), and a "plate" (page 7, line 3). Examiner assumes 25 was intended to reference a transistor that is in capacitive relation to word line 19.

Examiner encourages Applicant to review the Specification, and make corrections accordingly.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 21 is rejected under 35 U.S.C. 102(b) as being anticipated by Gerber et al. (U.S. Patent Application Publication 2002/0014642). Gerber et al. show a memory cell array (Fig. 5 [10]) in which memory cells (Fig. 5 [401-10...4016-1] are selectable by word lines (Fig. 5 [WL1]) and bit lines (Fig. 5 [BL1...BL16]). Gerber et al. disclose a first programmable memory unit (Fig. 5 [401-1...408-1]; Fig. 5 [409-1...416-1]) may be programmed simultaneously to a second programmable memory unit (Fig. 5 [409-1...416-1]; Fig. 5 [401-1...408-1]) being erased provided that both programmable memory units (Fig. 5 [401-1...408-1and 409-1...416-1]) reside on the same row (Fig. 5 [WL1]; see paragraph 0036); wherein a programmable memory unit comprises memory cells. Therefore, the claim limitation of writing data to a first memory cell while simultaneously erasing data from a second memory cell on the same word line is met.

Allowable Subject Matter

7. Claim 1-12, and 20 are allowed.

With respect to claim 1, the following is an examiner's statement of reasons for allowance: There is no teaching or suggestion in prior art to provide a poly plate, connected to a memory transistor and current injector in different rows, that is capacitively coupled to a word line.

With respect to claim 20, the following is an examiner's statement of reasons for allowance: There is no teaching or suggestion in prior art to provide a poly plate, connected to a memory transistor and current injector in different rows, that is capacitively coupled to a word line.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Applicant's arguments with respect to claim 21 have been considered but are moot in view of the new ground(s) of rejection.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

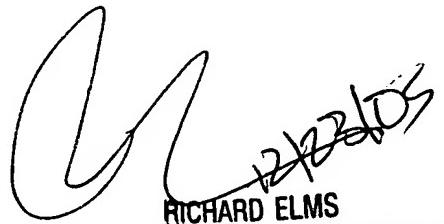
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Sofocleous whose telephone number is 571-272-0635. The examiner can normally be reached on 7:00am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Elms can be reached on 571-272-1869. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AGS



RICHARD ELMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

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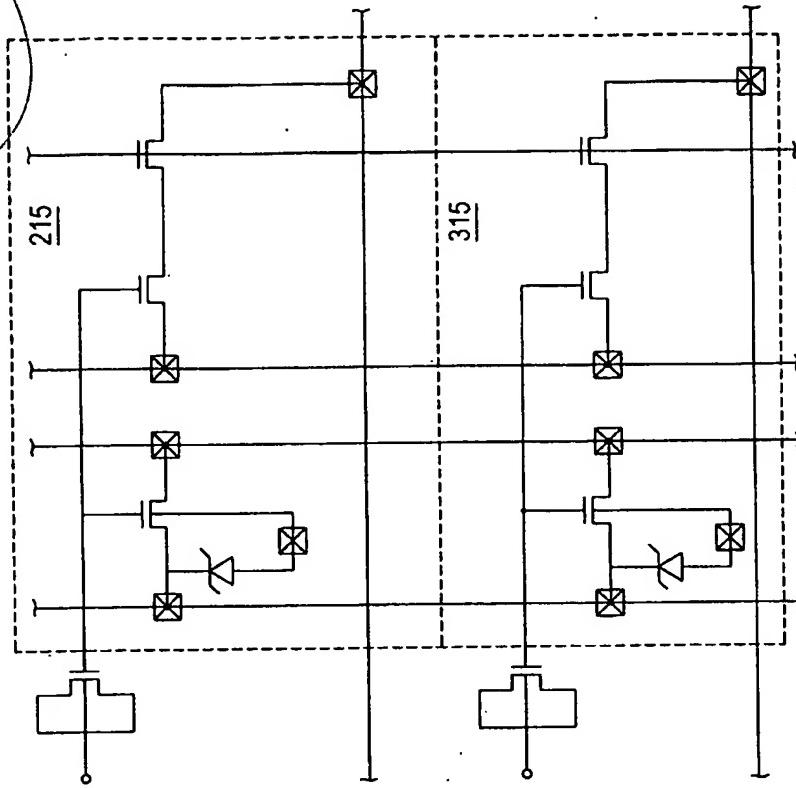
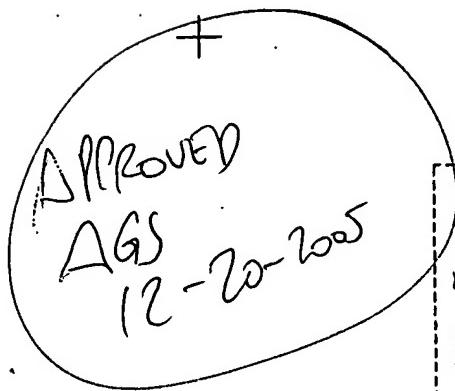
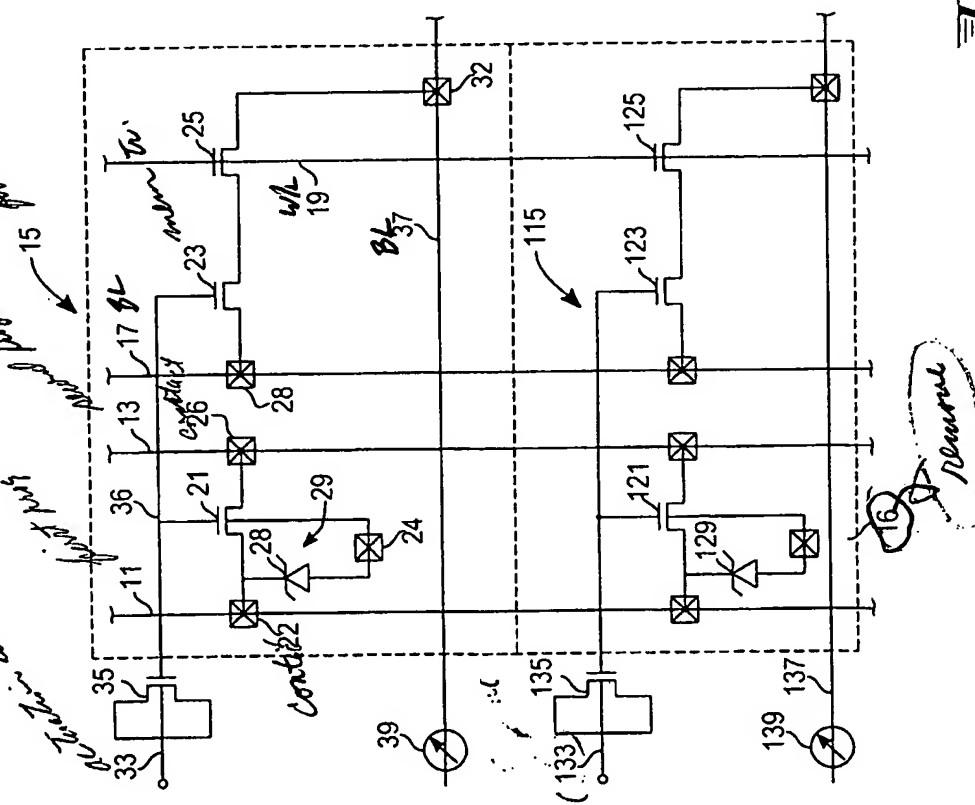


Fig. 1



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